

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ELI MISTOVICH, Jr. <div style="text-align: right; padding-right: 20px;">Plaintiff</div>)	
V.)	CIVIL ACTION NO. 04-12340-EFH
ELIZABETH BOWDEN, STEPHEN URBAN, STEPHEN NEVERO and ALISON LEATON, <div style="text-align: right; padding-right: 20px;">Defendants</div>)	

REVISED JOINT LIST OF PROPOSED EXHIBITS

Now come the parties to the above civil action and submit the following information to clarify the parties' earlier "Joint List of Stipulated Exhibits," which was filed with the Court on June 12, 2006. The parties provide below a list of those exhibits that are agreed upon by all parties (the "Stipulated Exhibits"), as well as those exhibits that are objected to ("Plaintiff's Proposed Exhibits Objected to by Defendants," and "Defendants' Proposed Exhibits Objected to by Plaintiff"):

Stipulated Exhibits

- A. Alison Leaton schedule of trackman interviews November 24th and 25th, 2003 (Mistovich Dep. Exh. 19);
- B. Alison Leaton schedule of track interviews Thursday March 4th and Friday, March 5th, 2004 (Mistovich Dep. Exh. 21 – first page only);
- C. Alison Leaton schedule of interviews Thursday March 11, 2004 (Mistovich Dep. Exh. 22);
- D. Resume of Marvin F. Morgan, Jr. (Urban Dep. Exh. 2);
- E. E-mails dated March 11, 2004 between Elizabeth Bowden and Alison

Leaton (Nevero Dep. Exh. 5);

- F. E-mails and Attachment between Elizabeth Bowden and Alison Leaton dated March 15th and March 16th, 2004 (Bowden Dep. Exh. 29 and 30);
- G. Alison Leaton e-mail to Elizabeth Bowden March 26, 2004 (Bowden Dep. Exh. 32);
- H. Bowden diary note of March 15, 2004 (Nevero Dep. Exh. 6);
- I. Elizabeth Bowden interview questions to ask Eli Mistovich (Bowden Dep. Exh. 28);
- J. Elizabeth Bowden interview questions to ask Eli Mistovich (Mistovich Dep. Exh. 11);
- K. HR, Diversity/EEO Policies and Procedures (2 pages, dated May 1, 2003; Mistovich Dep. Exh. 16);
- L. Employee Policy Acknowledgement Form, signed by Eli Mistovich on 5/8/03 (Mistovich Dep. Exh. 14);
- M. HR, Personnel Requisition, Selection and Hiring (5 pages, dated July 1, 2003; Mistovich Dep. Exh. 15);
- N. Effective Interviewing Techniques (Bates nos. M-0029-64; Mistovich Dep. Exh. 13);

Plaintiff's Proposed Exhibits Objected to by Defendants

- 1. Memorandum of September 25, 2003 to Stephen Nevero from Eli Mistovich (Urban Dep. Exh. 1);
- 2. Eli Mistovich list of track resumes dated January 20, 2004 (Nevero Dep. Exh. 8);
- 3. Revised list of track resumes February 9, 2004 (Mistovich Dep. Exh. 20);
- 4. Annual performance reviews of Plaintiff Eli Mistovich, Jr. at Amtrak for the years 1989, 1990, 1991, 1992, 1993, 1994, 1999 and 2000 (Exhibits A-H to Affidavit of Eli Mistovich, Jr. submitted in opposition to Summary Judgment Motion);
- 5. Alison Leaton e-mail to Elizabeth Bowden March 25, 2004 (Bowden

Dep. Exh. 31);

Defendants' Proposed Exhibits Objected to by Plaintiff

101. Charts of Resumes Referred to Eli Mistovich by Alison Leaton
(Bates Nos. M-0019-20) (first two pages of Mistovich Dep. Exh. 9).

Respectfully submitted:

Eli Mistovich, Jr.,
by his attorney:

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Dated: June 19, 2006